

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STEVEN DUKATT,

Plaintiff,

Civil No. 25-10572

v.

Honorable
Mag. Judge

UNITED STATES POSTAL SERVICE

Defendant.

_____ /

NOTICE OF REMOVAL

Federal defendant, the United States Postal Service, by its attorneys, Julie A. Beck, Acting United States Attorney for the Eastern District of Michigan, and Jennifer L. Newby, Assistant United States Attorney, provides this notice that the above-captioned case has been removed to the United States District Court for the Eastern District of Michigan, respectfully representing as follows:

1. Plaintiff Steven Dukatt filed a complaint in the civil action, 25341247-LT, *Dukatte v. United States Postal Service*, in the 36th District Court for the County of Wayne, State of Michigan.
2. On January 28, 2025, a copy of the complaint was received by the United States Postal Service via a local post office branch located at 10254 Gratiot Avenue, Detroit, Michigan 48213. *See* Exhibit 1. Under Fed. R. Civ. P. 6(a)(1),

this notice is filed within 30 days since receipt of the complaint.

3. Removal of this action is made pursuant to 28 U.S.C. § 1442(a)(1), because the complaint advances a claim against an agency of the United States.

4. “As a federal agency defendant may remove without more.” *City of Cookeville, Tenn. v. Upper Cumberland Elec. Membership Corp.*, 484 F.3d 380, 390 (6th Cir. 2007).

5. Pursuant to 28 U.S.C. § 1446(a), copies of all process, pleadings, and orders received by the United States in this action, to date, are attached as Exhibit 1.

6. Pursuant to 28 U.S.C. § 1446(d), a copy of this notice will be promptly served on the parties and filed with the clerk of the 36th District Court in Wayne County Michigan. *See* Exhibit 2.

7. Because this matter was removed pursuant to 28 U.S.C. § 1442(a)(1), joinder or consent of all defendants is not required. *See* 28 U.S.C. § 1446(b)(2)(A) (joinder or consent required “[w]hen a civil action is removed solely under section 1441(a)”). Nonetheless, counsel for Defendant notified counsel for Plaintiff of the removal.

Accordingly, Defendant notifies the Court that the above-captioned action is removed from the 36th District Court in Wayne County for the State of Michigan to the United States District Court for the Eastern District of Michigan.

Respectfully Submitted,

JULIE A. BECK
Acting United States Attorney

/s/ Jennifer L. Newby
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Dated: February 28, 2025

CERTIFICATE OF SERVICE

I hereby certify that on February 28, 2025, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system.

I further hereby certify that on that same date, the foregoing paper was served upon counsel for Plaintiff at the email address:

jelevine@swistaklevine.com

/s/ Jennifer L. Newby
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